

In the United States Court of Federal Claims

No. 21-2289
(Filed: February 17, 2022)

STEVEN MELEIKA, *
*
*
Plaintiff, *
*
v. *
*
*
UNITED STATES, *
*
Defendant. *

ORDER

On December 9, 2021, Plaintiff, proceeding *pro se*, filed a complaint with the Court. *See* ECF No. 1. However, Plaintiff failed to pay the filing fee of \$402.00—a \$350.00 filing fee plus a \$52.00 administrative fee—or request authorization to proceed without prepayment of fees by submitting a signed application to proceed *in forma pauperis* (“IFP”), as required by Rule 77.1(c) of the Rules of the United States Court of Federal Claims (“RCFC”). *See* ECF No. 5.

On January 5, 2022, the Court ordered Plaintiff to either pay the required filing fees or submit a signed application to proceed IFP by February 4, 2022. ECF No. 7. The Court warned that, if Plaintiff failed to do so, this case would be dismissed for failure to prosecute under RCFC 41(b). *Id.*

As of the date of this Order, Plaintiff has neither paid the required filing fees nor applied to proceed IFP. Accordingly, this case is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute under RCFC 41(b). The Clerk is **DIRECTED** to enter judgment accordingly.

On February 7, 2022, Defendant filed a motion to dismiss this case for lack of subject-matter jurisdiction pursuant to RCFC 12(b)(1) and for failure to state a claim upon which relief can be granted pursuant to RCFC 12(b)(6). *See* ECF No. 8. Because this case is dismissed for failure to prosecute under RCFC 41(b), Defendant’s motion is **DENIED AS MOOT**.

IT IS SO ORDERED.

s/ Thompson M. Dietz
THOMPSON M. DIETZ, Judge